

OFFICIAL COPY

Fresno, California

January 26, 1999

The City Council met in joint session with the Redevelopment Agency at the hour of 8:43 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Garry Bredefeld	Councilmember
	Chris Mathys	Councilmember
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember
	Ken Steitz	President

Jeff Reid, City Manager
Dan Fitzpatrick, Agency Executive Director
Hilda Cantu Montoy, City Attorney
Rebecca Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

(8:30 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY)

APPROVE AGENCY MINUTES OF JANUARY 12, 1999)

On motion of Councilmember Mathys, seconded by President Steitz, duly carried, RESOLVED, the Agency Minutes of January 12, 1999, approved as submitted.

("A") ELECTION OF CHAIR AND VICE CHAIR - PRESIDENT STEITZ)

President Steitz stated his motivations were being questioned and the issue was simple; noted the Agency by-laws called for election of the Chair and Vice Chair every July and advised he would be scheduling on next week's agenda the issue of amending the by-laws to change the election date to January along with election of the Council President and Acting President; and made a motion to re-elect Chair Ronquillo, which was seconded and acted upon after discussion.

Speaking in support of the Agency remaining a separate entity and staying its current course were: Myser Keels; George Finley; and Ann Gaston.

Councilmember Quintero stated although all elected to certain positions would like to continue serving in those positions their whole term, there was a process in the by-laws which needed to be followed, and commented on redevelopment efforts, newly designated study areas, and the Agency's commitment to continue to move forward in that direction. Councilmember Mathys commented on the issue and for the need for communication by all.

Chair Ronquillo briefly commented on the history of redevelopment stressing there had not been a catalyst, until recently, to make it happen, and stated since 95% of redevelopment areas were located downtown it was appropriate that he remain Chair adding strength and conviction on projects necessary for the City was essential.

On motion of President Steitz, seconded by Councilmember Bredefeld, duly carried, RESOLVED, Chair Ronquillo hereby re-elected, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

A motion and second to elect Councilmember Perea as Vice Chair was made.

Councilmember Mathys made a substitute motion, seconded by President Steitz, to elect Councilmember Quintero Vice Chair, whereupon Councilmember Quintero declined the nomination.

On motion of Councilmember Bredefeld, seconded by Chair Ronquillo, duly carried, RESOLVED, Councilmember Perea elected Vice Chair of the Redevelopment Agency, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz,. Ronquillo
Noes	:	None
Absent	:	None

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The Redevelopment Agency recessed to later in the meeting and the City Council convened in regular session at 9:07 a.m.

Reverend David Wainscott, St. Luke's Methodist Church, gave the invocation.

Councilmember Bredefeld called for, and a moment of silence was observed, for the Fresno children recently murdered.

Councilmember Bredefeld led the Pledge of Allegiance to the Flag.

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PRESENTATION OF CERTIFICATES OF RECOGNITION RELATING TO)
MARTIN LUTHER KING DAY - ALL COUNCILMEMBERS)

Presented.

PRESENTATION OF CERTIFICATES OF RECOGNITION TO THE EDISON)
HIGH SCHOOL ENGINEERING TEAM - COUNCILMEMBER RONQUILLO)

Presented.

RESOLUTION OF COMMENDATION TO THE FRESNO POLICE DEPART-)
MENT'S PINEDALE NEIGHBORHOOD POLICING OFFICE - COUNCIL-)
MEMBER MATHYS)

Read and presented.

RESOLUTION OF COMMENDATION TO RUBY TATEOSIAN)

Read and presented. **(2 - 0)** On motion of Councilmember Quintero, seconded by President Steitz, duly carried, RESOLVED, January 26, 1999, proclaimed "Ruby Tateosian Day" in the City of Fresno by Council consensus.

RESOLUTION OF APPRECIATION TO KEN NAKASHIGE, FAX ADA ADVISORY)
COMMITTEE MEMBER - PRESIDENT STEITZ)

Read and presented.

PRESENTATION OF P.R.I.D.E. TEAM CERTIFICATES FOR WINTER QUARTER)
(RECEPTION IMMEDIATELY FOLLOWING))

Presented.

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The Council recessed at 9:45 a.m. to attend a reception for the PRIDE Team and reconvened at 10:03 a.m.

APPROVE COUNCIL MINUTES OF JANUARY 12, 1999)

On motion of Councilmember Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, the minutes of January 12, 1999, approved, as amended, on Page 133-35, Item **5C**, Paragraph 3, correcting and adding the underlined portions to the 1st sentence as follows: "Councilmember Perea stated he had no problem with a level playing field and that he would support the measure with the understanding that the field be level, including limiting the amount of money one could contribute to themselves referencing names mentioned for the upcoming Mayoral race and their personal wealth."; and to the 3rd sentence as follows: "Councilmember Perea seconded Councilmember Bredefeld's motion contingent upon considering expansion of limits adding specific amounts would be discussed when the ordinance comes back....".

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APPROVE AGENDA:

CLOSED SESSION)

(A.) CONFERENCE WITH LEGAL COUNSEL - EXISTING /THREATENED)

LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) -)

CASE NAMES:)

1. A.H.D.C. (WELLINGTON) V. CITY OF FRESNO, ET AL.)

Laid over one week at the direction of the City Attorney who stated reasons were set forth in a memo sent to Council on January 25th.

(1A-9) ***RESOLUTION** - 4TH AMENDMENT TO SALARY RESOLUTION 98-161)
 ESTABLISHING TWO NEW CLASSES: REDEVELOPMENT PLANNING)
 SUPERVISOR AND REDEVELOPMENT PROJECT PLANNER)
 (ACTED ON LATER IN THE MEETING))

City Manager Reid stated the item was incorrectly placed on the Consent Calendar and should have been placed under "City Council - Councilmember Ronquillo". So noted and moved.

**The third grade class from Fresno Christian School was recognized and welcomed.

SET JOINT MEETING WITH THE FRESNO METROPOLITAN FLOOD)
 CONTROL DISTRICT FOR MARCH 9, 1999 AT 12:00 NOON IN MEETING)
 ROOM "A" - PRESIDENT STEITZ)

On motion of President Steitz, seconded by Councilmember Mathys, duly carried, RESOLVED, a joint meeting with the FMFCD set for March 9th, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

On motion of Councilmember Mathys, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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ADOPT CONSENT CALENDAR:

(1A-2) APPROVE THE TRANSFER OF \$67,100 OF EMERGENCY SHELTER)
 GRANT FUNDS FROM THE YWCA OF FRESNO TO THE MARJAREE MASON)
 CENTER FOR FY 99 PENDING HUD'S APPROVAL OF A CONTRACT CHANGE)

(1A-3) AUTHORIZE THE CHIEF OF POLICE TO ENTER INTO A CONTRACT)
 WITH THE HOUSING AUTHORITY FOR \$170,000 ON BEHALF OF THE CITY)
 FOR THE PURPOSE OF PROVIDING CRIME PREVENTION, COMMUNITY)
 EDUCATION AND POLICE PATROL SERVICES AT SELECTED PUBLIC)
 HOUSING COMPLEXES AS REQUIRED BY THE EVICT NARCOTICS FROM)
 PUBLIC HOUSING (ENPH) PROGRAM)

(1A-4) AWARD A ONE-YEAR REQUIREMENTS CONTRACT WITH PRO-)
 VISIONS FOR TWO ONE-YEAR EXTENSIONS FOR BUTTERFLY VALVES,)
 GATE VALVES AND CHECK VALVES TO GROENIGER & COMPANY IN)
 THE ESTIMATED AMOUNT OF \$189,776.79)

(1A-5) AWARD A ONE-YEAR REQUIREMENTS CONTRACT WITH PRO-)
 VISIONS FOR TWO ONE-YEAR EXTENSIONS FOR JOINT RESTRAINTS TO)
 FAMILIAN PIPE & SUPPLY IN THE ESTIMATED AMOUNT OF \$46,336.81)

(1A-6) APPROVE COMMERCIAL AVIATION OPERATIONS PERMIT WITH)
 ALLEGIANT AIR, INC.; AND AUTHORIZE THE TRANSPORTATION DIRECTOR)
 TO EXECUTE THE SUBJECT PERMIT ON BEHALF OF THE CITY)

(1A-8) PROPOSED APPOINTMENT OF ROBERT MACIAS TO THE FULTON-)
 LOWELL SPECIFIC PLAN IMPLEMENTATION COMMITTEE - COUNCIL-)
 MEMBER RONQUILLO)

On motion of Councilmember Mathys, seconded by Councilmember Ronquillo, duly carried, RESOLVED,
 the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(9:15 A.M.) APPEARANCE BY BOB MARTIN TO DEMONSTRATE THE)
 CARDIAC CARE UNIT BEING PROPOSED TO VARIOUS CITY DEPART-)
 MENTS)

Bob Martin distributed information to Council, a copy of which was not filed with the City Clerk, and along with Mike Barber, Registered Nurse and current President of the American Heart Association, advised of heart disease and heart attack statistics, demonstrated the cardiac unit, and responded to Council questions relative to main causes for heart attacks, current locations of units, cost, and necessary training.

Councilmember Ronquillo stated he was impressed with the unit and stated the City should look into purchasing them. Brief discussion ensued on a funding source to purchase the units and the appropriate time to consider the issue. City Attorney Montoy advised there would be other issues to consider such as the City's outlying sites, workers comp, and the issue of competitive bidding if costs were to run higher than \$29,000.

Councilmember Ronquillo directed staff schedule the issue of considering purchase of the units in one week. So directed.

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(5A) STATUS REPORT RELATING TO THE PROCESS OF CREATING A)
 VOLUNTEER SOCIAL SERVICES COMMISSION - COUNCILMEMBER)
 MATHYS (ACTED ON LATER IN THE MEETING))

President Steitz advised the issue was set three weeks ago for this date at 10:15 a.m. and stated, with Council consensus, that it would be heard after the 10:00 a.m. hearing. So noted.

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The City Council recessed at 10:23 a.m. and the City Council and Redevelopment Agency reconvened in joint session. President Steitz left the meeting at 10:23 a.m.

(“B”) RECONCILE ANY CONFLICTING DIRECTION RELATING TO THE)
 PROPOSED DISPOSITION AND DEVELOPMENT AGREEMENT (D&DA))
 BETWEEN THE REDEVELOPMENT AGENCY AND THE FRESNO DIAMOND)
 GROUP RELATIVE TO PARKING ISSUES)
 1. REPORT AND REQUEST FOR DIRECTION ON PARKING ELEMENTS FOR)
 THE PROPOSED D&DA (AGENCY AND COUNCIL ACTION))

Agency Director Fitzpatrick reviewed a memo distributed to the joint bodies spelling out parking provisions of the D&DA; recommended Agency and City staff be directed to work the Diamond Group to clarify and further develop parking elements and bring back potential solutions to the Council Parking Sub-Committee for resolution; and reviewed the four concerns of the D&DA parking language that needed to be “cleaned-up” prior to finalizing the D&DA or separate Parking Agreement along with staff’s recommendations and requested direction.

City Manager Reid reviewed the three fundamental financial transactions the City was providing to the Diamond Group, advised of material elements of a parking proposal by the Diamond Group working with staff, and stated the Council Sub-Committee should be given wide discretion to deal with those elements.

City Attorney Montoy clarified the Diamond Group had discussed with staff an alternative relative to tax-exempt bonds and explained, advised the alternative had subsequently been withdrawn and that staff was not negotiating anything different at this time, and added what Council approved on December 1st involved every City parking lot and was very broad therefore the only issue at this time was reconciling any conflicting direction.

Councilmember Mathys stated his concerns were (1) for the taxpayer if the City was going to have to provide additional parking emphasizing those numbers should be part of the final proposal, and (2) for existing businesses (3 - 0) and their fair share of parking, adding these issues needed to be clear. Chair Ronquillo clarified there would be somewhat of a support-type subsidy and not a great one and explained. Mr. Fitzpatrick responded to questions of Councilmember Bredefeld relative to parking for multiple events, need for direction, and reporting back to the Council/Agency in addition to the sub-committee. Councilmember Bredefeld stated the issue was problem solving with the Diamond Group and it needed to be approached that way so as *not* to create any further barriers or obstructions.

On motion of Councilmember Bredefeld, seconded by Councilmember Mathys, duly carried, RESOLVED, the Agency Director and City Attorney directed to meet with the Fresno Diamond Group in a spirit of cooperation to reconcile any conflicting direction, and report back to the Council Parking Sub-Committee, Council and Agency, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea. Quintero, Ronquillo
Noes	:	None
Absent	:	Steitz

**2. DISCUSSION/AGREEMENT REGARDING PARKING AGREEMENT FOR)
THE JUVENILE DEPENDENCY COURT ON THE FULTON MALL)**

Chair Ronquillo advised staff was still working with Mr. Patterson on provisions of the agreement and requested the matter be laid over three weeks.

On motion of Chair Ronquillo, seconded by Councilmember Mathys, duly carried, RESOLVED, the parking agreement for the Juvenile Dependency Court on the Fulton Mall continued to the February 23, 1999, City Council meeting at a time certain, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea. Quintero, Ronquillo
Noes	:	None
Absent	:	Steitz

**3. REPORT REGARDING DISCUSSION WITH ZAHRA PROPERTIES, INC.)
FOR PARKING FOR THE GUARANTEE BUILDING, AND SET A PUBLIC)
HEARING FOR FEBRUARY 2, 1999, AT 8:30 A.M. WITH THE AGENCY TO)
CONSIDER APPROVAL OF A PARKING LEASE AGREEMENT WITH ZAHRA)
PROPERTIES FOR AGENCY-OWNED LOTS AT FRESNO STREET AND)
BROADWAY PLAZA (AGENCY ACTION))**

Director Fitzpatrick stated a parking arrangement could be accommodated on the Merchants Lot as spelled out in the staff report, and recommended the hearing be set as noted. President Steitz returned to the meeting at 10:45 a.m.

Upon question of Councilmember Mathys, Charles Briggs, co-owner, Guarantee Building, confirmed he would debt service his own parking.

On motion of President Steitz, seconded by Councilmember Mathys, duly carried, RESOLVED, a hearing of the Redevelopment Agency hereby set for February 2, 1999, at 8:30 a.m. to consider approval of a parking lease agreement with Zahra Properties for Agency-owned lots at Fresno Street and Broadway Plaza Street, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
 Noes : None
 Absent : None

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The joint bodies adjourned at 10:47 a.m. and the City Council reconvened in regular session at 10:48 a.m.

(10:00 A.M.) HEARING TO CONSIDER AMENDING RESOLUTION NO. 93-420)
ESTABLISHING UNDERGROUND UTILITY DISTRICT (UUD) NO. FRE-59)
1. RESOLUTION NO. 99-18 - AMENDING RESOLUTION NO. 93-410 ESTAB-)
LISHING UUD NO. FRE-59)

President Steitz announced the time had arrived to consider the issue and opened the hearing.

Upon call, no one wished to be heard and President Steitz closed the hearing.

On motion of Councilmember Bredefeld, seconded by Councilmember Mathys, duly carried, RESOLVED, the above entitled Resolution No. 99-18 hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
 Noes : None
 Absent : None

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(5A) - (10:15 A.M.) STATUS REPORT RELATING TO THE PROCESS OF)
CREATING A VOLUNTEER SOCIAL SERVICES COMMISSION - COUNCIL-)
MEMBER MATHYS)

Councilmember Mathys briefly reviewed the issue, reiterated a fair process was needed, and stressed the City should scrutinize the way City dollars were allocated.

City Manager Reid noted two options had been previously discussed; advised the County was willing and the City had an opportunity to utilize the County's process, committee and expertise to review the City's applications and explained; and stated the three options for Council to consider would be: (1) appointing a Council committee; (2) following the process used last year, that being a Council committee review of applications during the budget process; and (3) utilizing the County's review process with a report back to Council or to a Council sub-committee adding the County would not require any funding for this effort.

Kathleen McIntyre, Chair, Human Services Coalition, spoke in support of Councilmember Mathys' proposal for a separate City commission.

Councilmember Bredefeld concurred a process was needed with rules and guidelines, stressed another layer of bureaucracy was not the way to go, stated he opposed using City funds for such a committee, and stated he would support utilizing Fresno County or the United Way, with Mr. Reid clarifying United Way would not be part of the process.

Councilmember Mathys made a motion to schedule the issue of considering and selecting of one of the three options in one week at 10:30 a.m., and emphasized the City had special needs thereby necessitating a separate City committee. Councilmember Ronquillo stated he would support a hearing to discuss the issue further adding he opposed utilizing infrastructure funds. Brief discussion ensued on staffing for a commission, need to consider prioritizing and direction of funds, maintaining consistency with processes, and applications currently in the process.

On motion of Councilmember Mathys, seconded by Councilmember Perea, duly carried, RESOLVED, February 2, 1999, at 10:30 a.m. hereby set to consider the three social service funding options as outlined by the City Manager, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(10:45 A.M.) TEFRA HEARING AS REQUIRED BY SECTION 147(f) OF THE)
INTERNAL REVENUE CODE OF 1986 TO HEAR AND CONSIDER INFORMA-)
TION CONCERNING THE PROPOSED ISSUANCE OF MULTIFAMILY HOUSING)
REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES)
DEVELOPMENT AUTHORITY (CSCDA) TO PROVIDE FINANCING FOR THE)
ACQUISITION AND REHABILITATION OF MULTIFAMILY RESIDENTIAL)
RENTAL PROJECTS: PLAZA APARTMENTS, 9TH STREET APARTMENTS, THE)
PARK AT HUNTINGTON I & II, LIU GARDENS AND CRYSTAL SPRINGS)
APARTMENTS)
1. RESOLUTION NO. 99-19 - APPROVING THE ISSUANCE OF MULTIFAMILY)
HOUSING REVENUE BONDS BY THE CSCDA FOR THE PLAZA APARTMENTS)
2. RESOLUTION NO. 99-20 - APPROVING THE ISSUANCE OF MULTIFAMILY)
HOUSING REVENUE BONDS BY THE CSCDA FOR THE 9TH STREET APART-)
MENTS)
3. RESOLUTION NO 99-23 - APPROVING THE ISSUANCE OF MULTIFAMILY)
HOUSING REVENUE BONDS BY THE CSCDA FOR THE PARK AT HUNTING-)
TON I & II APARTMENTS)
4. RESOLUTION NO. 99-21 - APPROVING THE ISSUANCE OF MULTIFAMILY)
HOUSING REVENUE BONDS BY THE CSCDA FOR THE LIU GARDENS)
APARTMENTS)
5. RESOLUTION NO. 99-22 - APPROVING THE ISSUANCE OF MULTIFAMILY)
HOUSING REVENUE BONDS BY THE CSCDA FOR THE CRYSTAL SPRINGS)
APARTMENTS)

President Steitz announced the time had arrived to consider the issue and opened the hearing.

Mike Condry, representing Affordable Housing Development Corporation for Crystal Springs Apartments; and Leo Puig, President, Avalon Communities for The Park at Huntington I & II, spoke in support of the issue and stated they were available to answer any questions.

Dallas Debatin, 109 N. Glenn, spoke in opposition to the issue stating it was not good public policy to let complexes deteriorate and then finance the complete rehabilitation.

Relative to the 9th Street Apartments, Assistant Controller Carlton advised the location description listed in the resolution was provided by the applicant, stated the complex was further north of Belmont on 9th Street, and noted this was acceptable for purposes of the record

Upon call, no one else wished to be heard and President Steitz closed the public testimony portion of the hearing. Relative to The Park at Huntington I & II, Councilmember Ronquillo recused himself from those deliberations due to his residing across the street from the complex.

Councilmember Ronquillo commented on the issue and his support in dealing with complexes with these types of transactions before they become really blighted rather than new construction, and addressed Mr. Debatin's concern relative to not maintaining when necessary and questioned the alternative, with Mr. Debatin stating code enforcement and monitoring was the answer.

A motion to adopt Resolution Nos. 3 and 5 was made by Councilmember Quintero, which was later revised and acted upon.

Discussion ensued with Mr. Debatin and Mr. Condry responding to Council questions relative to surveying the properties, vacancy factors, purpose of TEFRA funding, costs for individual units, **(4 - 0)** affordable housing, profit margins, and percentage of cash flow for certain improvements. Councilmember Mathys stated he understood Mr. Debatin's concerns but there was a tendency to ignore the inner city and these transactions were beneficial. Brief discussion ensued on need for code enforcement and safeguards against over-borrowing and inflated appraisals, with Mr. Carlton responding.

By unanimous consent, debate on the issue was closed.

On motion of Councilmember Quintero, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled Resolution Nos. 99-19, 99-20, 99-21 and 99-22 hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

Councilmember Ronquillo recused himself and left the meeting at 11:35 a.m.

On motion of Councilmember Quintero, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled Resolution No. 99-23 hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz
Noes	:	None
Absent	:	Ronquillo

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(11:00 A.M.) CONTESTED CONSENT CALENDAR ITEMS:

(1A-1) APPROVE THE 1998-1999 REVISED FRESNO WORKFORCE DEVELOPMENT BOARD (FWDB) AGENCY BUDGET AND STAFF SCHEDULE)

Councilmember Ronquillo returned to the meeting at 11:36 a.m. Councilmember Bredefeld requested clarification on budgeted amounts for the various descriptions of the Agency budget (Attachment B of the staff report), with Cindy Merzon, Chief Executive Officer, FWDB responding. A motion and second to approve the budget and staff schedule was acted upon after discussion.

Councilmember Quintero requested Council be provided with agendas and minutes of the Board, and information on RFP's for various contracts. Councilmember Perea commented on his FWDB service experience and in working with the Economic Development Corp., stressed Council needed to pay attention and get involved in the expenditure of funds citing accountability, and stated he would keep Council informed. Ms. Merzon responded to questions of Councilmember Boyajian on employment strategies, training and education. Councilmember Ronquillo expressed his concern with the continued high unemployment rate, stated the mission of the FWDB should be proper research and training, and stated he wanted to see statistics relative to actual job placements in legitimate jobs paying at least \$8 an hour with benefits. President Steitz concurred with the need for accountability.

On motion of Councilmember Bredefeld, seconded by President Steitz, duly carried, RESOLVED, the 1998-99 Revised Fresno Workforce Development Board Agency Budget and Staff Schedule hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(1A-7) AWARD AN AGREEMENT FOR FOUNTAIN AND BEVERAGE RIGHTS AT THE CONVENTION CENTER TO PEPSI COLA CORP.)

Upon question of Councilmember Bredefeld, Convention Center Director Valdez stated this was the best contract the advertising agency could obtain.

On motion of Councilmember Bredefeld, seconded by Councilmember Quintero, duly carried, RESOLVED, an agreement with Pepsi Cola for marketing support of \$625,000 for fountain, beverage and advertising rights for the Fresno Convention Center hereby awarded to Pepsi Cola, and the City Manager authorized to execute the agreement on behalf of the City, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(11:00 A.M.) BILL NO. B-3 - ORDINANCE NO. 99-6 - TEXT AMENDMENT)
 NO. TA-98-002 AND ENVIRONMENTAL FINDINGS FILED BY THE CITY OF)
 FRESNO, MODIFYING THE YARD SETBACK REQUIREMENTS FOR CERTAIN)
 LOTS, NONCONFORMING AS TO LOT AREA, IN THE R-A, SINGLE-FAMILY)
 RESIDENTIAL/AGRICULTURAL DISTRICT)

A motion and second to adopt the ordinance was acted upon after brief discussion with Supervising Planner Beach responding to a question relative to "non-conforming lots", and confirming the purpose of the change was to allow for infill of vacant inner-city lots.

On motion of Councilmember Mathys, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Bill No. B-3 adopted as Ordinance No. 99-6, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(11:30 A.M.) HEARING TO CONSIDER THE BEHYMER-CHESTNUT NO. 3B)
 REORGANIZATION FOR THE DETACHMENT OF 4.6 ACRES FROM THE)
 FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER)
 CONSERVATION DISTRICT AND ANNEXATION OF THE SAME TERRITORY)
 TO THE CITY OF FRESNO)
1. RESOLUTION - APPROVING THE BEHYMER-CHESTNUT NO. 3B REOR-)
GANIZATION)

President Steitz announced the time had arrived to consider the issue and opened the hearing. A motion was made by Councilmember Mathys to adopt the resolution.

Mr. Sharon Mackay, property owner, spoke in opposition to the reorganization and advised of problems encountered with the City with his property located in the Roeding Industrial Park area, whereupon Councilmember Mathys withdrew his motion. Councilmembers Ronquillo and Bredefeld requested Mr. Mackay meet with them relative to his concerns. Councilmember Bredefeld made a motion to adopt the resolution, whereupon City Manager Reid advised since this was a single-owner annexation with a protest the only options were to deny or continue the hearing. Councilmember Bredefeld withdrew his motion to approve.

Upon call, no one else wished to be heard and President Steitz closed the public testimony portion of the hearing. Councilmember Mathys requested Mr. Mackay be left with property that was marketable, and Councilmember Ronquillo commented on the value of the property in that area and recommended negotiating the cost.

On motion of Councilmember Bredefeld, seconded by Councilmember Boyajian, duly carried, RESOLVED, the hearing on the Behymer-Chestnut No. 3B Reorganization continued to February 9, 1999, at 11:30 a.m., by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
 Noes : None
 Absent : None

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(5 - 0) President Steitz advised the Thai Restaurant had reopened and encouraged attendance.

LUNCH RECESS - 12:09 P.M. - 2:39 P.M.

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CLOSED SESSION

(C.) CONFERENCE WITH LABOR NEGOTIATOR - GOVERNMENT CODE)
 SECTION 54957.6 - COUNCILMEMBER PEREA:)
 CITY NEGOTIATORS: JEFFREY M. REID, JORGE AGUINIGA, ANDREW)
 SOUZA; EMPLOYEE ORGANIZATION: CFPEA)

Tabled one week.

(A.) CONFERENCE WITH LEGAL COUNSEL - EXISTING /THREATENED)
 LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) -)
CASE NAMES:)
 2. BOUDREAU V. CITY OF FRESNO)
 3. CITY OF FRESNO V. VARIOUS POTENTIALLY RESPONSIBLE PARTIES)
 (PRPs) FOR SOLVENT CONTAMINATION AT THE FRESNO AIR TERMINAL/)
 OLD HAMMER FIELD SITE)

(B.) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -)
 GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (b) - CASE NAMES:)
 1. MEDIA ONE V. CITY OF FRESNO)
 2. CLAIM OF LARRY WILSON)
 3. CLAIM OF SYLVIA CHAMBERS)

The Council met in closed session in Room 2125 at the hour of 2:00 p.m. to consider the above issues and reconvened in regular open session at 2:39 p.m.

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(2:30 P.M.) CONTINUED HEARING ON CITY OF FRESNO COMMUNITY)
 FACILITIES DISTRICT (CFD) NO. 4 - TRACT NOS. 4736, 4781, 4824, 4833)
 AND 4844)

1. **RESOLUTION NO. 99-24** - FORMING/ESTABLISHING CFD NO. 4 (TRACT NOS. 4736, 4781, 4824, 4833 AND 4844), AUTHORIZING THE LEVY OF A SPECIAL TAX, PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT, AND CALLING A SPECIAL ELECTION)
2. **RESOLUTION NO. 99-25** - DETERMINING NECESSITY TO INCUR A BONDED INDEBTEDNESS WITH PROPOSED CFD NO. 4 (TRACT NOS. 4736, 4781, 4824, 4833 AND 4844))
3. **RESOLUTION NO. 99-26** - CANVASSING THE RESULTS OF THE SPECIAL ELECTION HELD WITHIN CFD NO. 4 AND RELATED TRACTS)
4. **RESOLUTION NO. 99-27** - AUTHORIZING THE ISSUANCE OF BONDS AND THE EXECUTION OF ALL DOCUMENTS RELATED TO THE ISSUANCE AND SALE OF BONDS, AND OTHER MATTERS RELATED THERETO)
5. ***BILL NO. B-7 - ORDINANCE NO. 99-7** - AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN CFD NO. 4 (TRACT NOS. 4736, 4781, 4824, 4833 AND 4844)

President Steitz announced the time had arrived to consider the issue and opened the hearing. City Design Engineer Kassabian briefly reviewed the staff report as submitted. A motion and second to approve staff's recommendation was acted upon after brief discussion with Mr. Kassabian responding to a question relative to reimbursing certain developers their sewer and water impact fees and confirmed there would be no impact to the City.

Upon call, no one wished to be heard and President Steitz closed the hearing.

On motion of Councilmember Quintero, seconded by Councilmember Boyajian, duly carried, RESOLVED, the above entitled Resolution Nos. 99-24, 99-25, 99-26, and 99-27 hereby adopted; and the above entitled Bill No. B-7 adopted as Ordinance No. 99-7, thereby officially establishing the Mello-Roos District and authorizing the sale of bonds, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz
Noes	:	Mathys
Absent	:	None

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- (2:40 P.M.) DIRECT THE CITY MANAGER TO PROVIDE A FULL REPORT)
 REGARDING THE 40 MINUTE DELAY BY AMERICAN AMBULANCE TO)
 RESPOND TO AND TRANSPORT AN INJURED FRESNO POLICE OFFICER)
 TO UNIVERSITY MEDICAL CENTER - COUNCILMEMBER PEREA)
 1. ULTIMATE TRANSPORT RESPONSE WAS FROM MADERA; OUTLINE)
 BREAKDOWN OF EMERGENCY RESPONSE SYSTEMS)

Councilmember Perea advised he had since found out the actual response time was 26 minutes; noted the response time should have been under 6 minutes and emphasized this was unacceptable; stressed at issue was patient care and the system failed emphasizing the issue needed to be addressed; stated he wanted information on the location of all units dispatched, type of situation, and priority; and concluded stating as elected officials Council needed to have all the facts.

Todd Valeri, General Manager of American Ambulance, introduced Edgar Escovedo, Director of EMS Communications; stated their hearts went out to Officer Rodriguez and his family and wished him a speedy recovery; stressed American Ambulance was very much aware of the need for a timely response in emergency instances; advised calls for service that day were above and beyond the average and explained; stated the incident was a very unusual occurrence and was indeed unacceptable, and responded to Council questions on statistics and contract response time requirements.

Lengthy discussion ensued. Councilmember Mathys thanked American Ambulance for service provided; noted the contract was between American Ambulance and Fresno County; and commented on and questioned if this was the proper forum to handle the situation. Upon question, Mr. Valeri stated the County was now investigating the incident and would be issuing a report. Brief discussion ensued on parameters of the report and on just obtaining a copy of the County's report. Councilmember Ronquillo stated this was probably an isolated incident and that the report would indicate if American Ambulance was working within the parameters of their agreement.

Councilmember Perea reiterated he would still be asking for a report, and referencing an earlier comment, stressed even though the contract was with Fresno County, City constituents were affected, and again expressed his strong concern the lengthy response time.

President Steitz stated he did not see the need to involve the City Manager and offered, as the Council's President, to send a letter to American Ambulance and the Board of Supervisors requesting a report to Council, with Councilmember Perea consenting. Councilmember Bredefeld stated he felt that would be an appropriate request and added American Ambulance recognized the fact that the incident should not have happened.

On motion of President Steitz, seconded by Councilmember Perea, duly carried, RESOLVED, President Steitz to send a letter to the Fresno County Board of Supervisors and American Ambulance requesting a full report on the subject incident, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(5D) RECOMMENDATION TO COUNCIL TO AUTHORIZE MEMBERSHIP)
IN THE PACIFIC HOUSING AND FINANCE AGENCY (AN "EXERCISE OF)
JOINT POWERS" AGENCY) FOR THE ESTABLISHMENT OF A LEASE TO)
OWN HOME OWNERSHIP PROGRAM IN THE CITY FOR RESIDENTIAL)
HOME PURCHASES - COUNCILMEMBERS RONQUILLO AND PEREA)
1. RESOLUTION - APPROVING THE AGREEMENT BY AND BETWEEN)
THE CITY AND THE PACIFIC HOUSING AND FINANCE AGENCY, A JOINT)
POWERS AUTHORITY)

Councilmember Ronquillo briefly reviewed the issue stating this would provide for more home ownerships, and noted the payment would be 1% of the homes' value for three years adding this was an excellent program.

David Elder, Executive Director, Pacific Housing and Finance Agency (PHFA), advised 17 cities were currently members of PHFA, clarified potential owners would lease their home for 3 years and then take over the purchase, and emphasized there would be no financial responsibility to the City.

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, staff directed to provide a report and recommendation on February 9, 1999, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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(5B) (*)DIRECT STAFF TO INSTALL STOP SIGNS AT EUGENIA AND SIERRA)
 VISTA AVENUES (DOES NOT MEET WARRANTS) - COUNCILMEMBER)
 QUINTERO)

Councilmember Quintero briefly reviewed the issue stating this was an older neighborhood with many families and requested Council's support.

On motion of Councilmember Quintero, seconded by Councilmember Bredefeld, duly carried, RESOLVED, staff directed to install stop signs at Eugenia and Sierra Vista Avenues, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo
Noes	:	Steitz
Absent	:	None

City Manager Reid advised the item should have been listed with an asterisk as it was subject to the Mayor's veto.

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(5C) DIRECT CITY MANAGER AND PLANNING STAFF TO RESEARCH)
 AND PROVIDE A STRATEGY FOR THE IMPOSITION OF URBAN GROWTH)
 BOUNDARIES; STRATEGY TO BE BROUGHT BACK WITHIN 30 DAYS -)
 COUNCILMEMBER PEREA)
1. RESEARCH THE STATE OF OREGON'S STATE MANDATED INITIATIVE)
 AND OTHER CITIES' POLICIES REGARDING URBAN GROWTH)

Councilmember Perea stated he wanted to discuss the issue of possibly incorporating the imposition of urban growth boundaries during General Plan discussions; stressed development needed to be pushed back into the inner city and elaborated; emphasized the City needed to decide how it wanted to grow and needed to determine how best to work together with Fresno county, Madera and Clovis; and made a motion for a report back in 30 days including as much information as possible on urban growth boundaries.

(6 - 0) Robert Macias, 115 N. Calaveras, commented on the issue, on blight in the central area, and concurred that the inner-city should not be forgotten.

Extensive discussion ensued with various Councilmembers concurring on the importance of the issue, stating their philosophical positions, emphasizing the need to sit down and talk with the three entities; stating opposition to “leap-frog” development; and stressing the importance of a strong central core, with Planning Manager Yovino responding to questions.

Councilmember Bredefeld stated he would schedule in one week the issue of meeting with Fresno County, Madera and Clovis. Councilmember Mathys stated the most important decision Council would make was on future growth and planning, stressed bold steps needed to be taken, and advised he would schedule in one week direction to the City Attorney to draft an ordinance relative to saving open space and agricultural resources in Fresno.

City Manager Reid stated the issue of Friant needed to be talked about and emphasized long-term educated planning was the key and explained; concurred with the need to coordinate jointly with the three entities; and advised his goal was to schedule the initiation of 10Z in three weeks. Brief discussion ensued with Mr. Yovino responding to questions of Councilmember Quintero relative to planning timeline legalities, and addressing planning for prime agricultural land in southeast Fresno. Councilmember Quintero concurred with and addressed Mr. Macias’ comments.

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED, debate on the issue was closed by a majority consensus of the Council.

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED, staff directed to research, including the State of Oregon’s state mandated initiative and other cities’ policies, and provide a strategy for the imposition of urban growth boundaries, and report back in 30 days, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

Councilmember Bredefeld left at 3:58 p.m. and was absent for the remainder of the meeting.

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(5E) CONSIDER PROPOSAL AS REQUESTED BY THE BOYS AND GIRLS)
 CLUB TO DEED LAND AT 930 TULARE STREET TO THE BOYS AND GIRLS)
 CLUB; TRANSACTION TO BE CONTINGENT UPON GRANT APPLICATION)
 BEING APPROVED BY THE CALIFORNIA YOUTH AUTHORITY (CYA) -)
 COUNCILMEMBER RONQUILLO)

Councilmember Ronquillo advised the Boys and Girls Club owned the building and the City owned the land, and reviewed the issue. Councilmember Mathys briefly left the meeting at 3:59 p.m. A motion and second to approve direction was acted upon after discussion on an environmental assessment and responsibility therefore, timeframe, implications, if any, and need for a report back from the City Attorney. City Attorney Montoy recommended an added contingency giving Council the right to review who would bear the burden of any possible toxic contamination, with Councilmember Ronquillo consenting. Brief discussion ensued on value of the property and building.

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, staff directed to deed the land at 930 Tulare Street to the Boys and Girls Club, contingent upon approval of a grant application by the California Youth Authority (CYA) and Council review of all deed documents from the City Attorney, by the following vote:

Ayes	:	Boyajian, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Bredefeld, Mathys

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(5F) DIRECT CITY MANAGER TO PROVIDE STAFF REPORT ON STATUS)
 OF THE HINTON CENTER AGREEMENT AT THE FEBRUARY 2, 1999,)
 COUNCIL MEETING - COUNCILMEMBER RONQUILLO)

Councilmember Ronquillo stated this was somewhat of a complicated issue and explained; noted the Hinton Board felt they should have some authority over what they could and could not do relative to improvements; requested Council's support to move forward with long-needed improvements, and requested the City Manager renegotiate a contract which was now lacking. Councilmember Mathys returned to the meeting at 4:05 p.m. Brief discussion ensued on a motion.

On motion of Councilmember Ronquillo, seconded by Councilmember Mathys, duly carried, RESOLVED, the City Manager directed to report back in one week on the status of the contract, including how soon it could be renewed or renegotiated, along with information relative to promised improvements and costs, by the following vote:

Ayes	:	Boyajian, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Bredefeld

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(5G) REQUEST FOR UPDATE ON STATUS OF THE COMPREHENSIVE)
 BICYCLE TRANSPORTATION PLAN AND APPROXIMATE COMPLETION)
 DATE - COUNCILMEMBER MATHYS)

Councilmember Mathys stated an updated plan was needed as the Fresno Cycling Club desired to take advantage of state and federal grants to fund additional bike lanes and improvements, some of which required an approved plan, and requested a status report so he could report back.

Planning Manager Yovino advised a plan was in place and staff had been planning to update it with the General Plan, (7 - 0) and stated they would do it sooner. Upon question, Mr. Yovino said he anticipated the issue would be brought to Council the first part of March. There was no action taken.

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(5H) REQUEST COUNCIL’S SUPPORT FOR THE CITY OF FRESNO)
 MILLENNIUM CELEBRATION; DIRECT THE CITY MANAGER TO ASSIGN)
 STAFF TO MEET WITH COMMITTEES IN PLANNING THE EVENT -)
 COUNCILMEMBER RONQUILLO)

Councilmember Ronquillo stated in discussions with the Convention Center Director, preliminary plans were for an extravagant celebration which would include the closure of M Street, food vendors, various events, baby-sitting service, dropping of an object at midnight similar to Times Square, advised EOC already committed \$3,000 for the event and clean-up services by our youth, and requested Council’s support.

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the City Manager directed to assign staff to meet with committees in planning a millennium celebration downtown, by the following vote:

Ayes	:	Boyajian, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Bredefeld

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CLOSED SESSION ANNOUNCEMENTS:

City Attorney Montoy announced in the matter of the Claim of Sylvia Chambers, the Council voted to reject the claim on a 6-0 vote with Councilmember Ronquillo absent; and in the matter of the Claim of Larry Wilson, the Council voted 7-0 to reject the claim.

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(1A-9) (5I) *RESOLUTION NO. 98-28 - 4TH AMENDMENT TO SALARY)
 RESOLUTION NO. 98-161 ESTABLISHING THE CLASSES OF)
 REDEVELOPMENT PLANNING SUPERVISOR AND REDEVELOPMENT)
 PROJECT PLANNER)

A motion and second to adopt the resolution was acted upon after discussion. City Manager Reid stated the item was placed on the agenda without his knowledge; questioned what was trying to be achieved, the end result, and impacts to the Development Department; advised previous discussion on narrowing classes was not approved, and stated potential consequences should be brought forth before moving forward and explained. Councilmember Ronquillo responded this had nothing to do with Y-rating and at issue were two Agency employees who over the past two years had become specialists and reiterated his motion.

Councilmember Perea suggested an amendment to the motion to include reclassifying the two individuals also, whereupon City Attorney Montoy clarified the only issue this date was establishing the classes and that placement of certain individuals or reclassifying would be a future administrative function of the City Manager as he noted.

Discussion ensued on the process needed to reclassify with Ms. Montoy and Human Resources Manager Kirschner responding to questions. Mr. Reid again questioned what was trying to be achieved with Councilmember Perea responding the goal was to move the two incumbents into the positions being established and requested staff's assistance to accomplish that goal. Agency Director Fitzpatrick, Ms. Montoy and Mr. Reid clarified the issue, purpose, and process. Mr. Reid stated his concern was there had been no talks relative to how this would affect other employees.

Councilmember Ronquillo stated there was no need to complicate the issue, emphasized there were two individuals with expertise that the Agency was extremely happy with, stated this would protect the employees should a bumping situation arise, and added no additional funds were involved. Ms. Montoy advised CFPEA had requested, by letter, that the issue be tied to Y-rating. Councilmember Perea stated he and Councilmember Ronquillo would collaborate further with the City Manager and Attorney on the issue.

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 98-28 hereby adopted, by the following vote:

Ayes	:	Boyajian, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Bredefeld

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ADJOURNMENT

)

There being no further business to bring before the Council, the hour of 4:32 p.m. having arrived and hearing no objections, President Steitz declared the meeting adjourned.

DATED this _____ day of _____, 1999.

_____	ATTEST: _____
Ken Steitz, Council President	Yolanda Salazar, Assistant City Clerk